



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 9003**
Sumio IJIMA et al. : Attorney Docket No. 2005_1993A
Serial No. 10/560,808 : Group Art Unit 1794
Filed March 20, 2006 : Examiner Daniel H. Miller
SINGLE WALLED CARBON NANOHORN : **Mail Stop: AMENDMENT**
ADSORPTIVE MATERIAL AND METHOD
FOR PRODUCING THE SAME

TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
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Sir:


The owners, JAPAN SCIENCE AND TECHNOLOGY AGENCY and NEC CORPORATION, of 100% interest in the instant application, hereby disclaim, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on copending application Serial Number 10/483,796, filed July 6, 2004. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the copending application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any patent granted on the copending application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event

that any such granted patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

The undersigned is an attorney of record.

By: 
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May 29, 2008